

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: AUGUST 2, 2006**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: EOT-14483 – EXTENSION OF TIME – REZONING –**  
**APPLICANT/OWNER: WAGNER HOMES, INC.**

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**\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION: APPROVAL.** subject to:

**Planning and Development**

1. This Extension of Time will expire on July 7, 2008 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-4375) and Rezoning (ZON-4374) as required by the Planning and Development Department and Department of Public Works.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a request for an Extension of Time of an approved a Rezoning (ZON-4374) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to R-PD7 (Residential Planned Development - 7 Units per Acre) on 7.10 acres adjacent to the north side of Grand Teton Drive, approximately 495 feet east of the centerline of Durango Drive.

**EXECUTIVE SUMMARY**

This is the first Extension of Time application for the subject site. The applicant is requesting a two year Extension of Time for the subject Rezoning (ZON-4374) and associated Site Development Plan Review (SDR-4375). The applicant indicates that Extension of Time is needed since the final map has not recorded. Therefore, staff can support the proposed extension due to the indicated reason.

**BACKGROUND INFORMATION**

**A) *Related Actions***

- 03/17/99      The Board of County Commissioners approved a Rezoning (ZC-1702-98) to C-2 (General Commercial – Clark County) on a portion of this site. A restaurant/tavern was proposed as part of that application. The rest of the area to be rezoned was to remain single-family residential. City of Las Vegas staff reviewed the development plans submitted with this application and determined that they complied with the Conditions of Approval imposed by the County Commission.
- 06/08/99      The City Council approved a Petition of Annexation (A-0028-99) of 10.54 acres (Assessor's Parcel Numbers 125-09-401-006 and 017) adjacent to the northeast corner of Durango Drive and Grand Teton Drive, which includes the proposed site. A Resolution of Intent to a C-1 (Limited Commercial) zone was granted only to the proposed tavern site, with the remaining land to be designated U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation]. The Planning Commission and staff recommended approval on 05/13/99. The effective date of the annexation was 09/24/99.
- 06/21/00      The City Council approved a Special Use Permit (U-0011-00) and Site Development Plan Review to allow a Tavern in conjunction with a proposed restaurant. The Planning Commission and staff recommended approval on 5/11/00.

- 07/17/02      The City Council approved an Extension of Time [U-0011-00(1)] for an approved Special Use Permit (U-0011-00) to allow a Tavern in conjunction with a proposed restaurant. The Planning Commission and staff recommended approval on 6/13/02.
- 01/22/04      The Planning Commission tabled a Site Development Plan Review (SDR-3511) for a proposed 71,570 square-foot office, tavern, and mini-storage development. Staff had recommended approval.
- 03/17/04      The City Council approved a General Plan Amendment (GPA-3483) to amend a portion of the Centennial Hills Sector of the General Plan from PCD (Planned Community Development) to SC (Service Commercial). The Planning Commission and staff recommended approval on 1/22/04.
- 03/17/04      The City Council approved a Review of Condition (ROC-2671) of Condition No. 6 of an approved Special Use Permit (U-0011-00), which had restricted commercial zoning to the western portion of the site. Staff and the Planning Commission recommended approval on 1/22/04.
- 03/17/04      The City Council approved a Rezoning (ZON-3509) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) and U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to C-1 (Limited Commercial) on a portion of APN: 125-09-401-006. Staff recommended approval. The Planning Commission recommended approval on 01/22/04.
- 07/07/04      The City Council approved a Rezoning (ZON-4374) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to R-PD7 (Residential Planned Development - 7 Units per Acre). Also, a Site Development Plan Review (SDR-4375) was also approved for a 48-lot single family residential development on 6.90 acres adjacent to the north side of Grand Teton Drive, approximately 495 feet east of the centerline of Durango Drive. The Planning Commission and staff recommended approval on 06/10/04.
- 08/02/06      The City Council will consider a related Extension of Time (EOT-14485) of an approved Site Development Plan Review (SDR-4375) that allowed a 48-lot single family residential development on 7.10 acres adjacent to the north side of Grand Teton Drive, approximately 495 feet east of the centerline of Durango Drive. Staff is recommending approval of the related Extension of Time.

***B) Pre-Application Meeting***

A pre-application meeting is not required for an Extension of Time request.

***C) Neighborhood Meetings***

A neighborhood meeting is not required for an Extension of Time request, nor was one held.

**DETAILS OF APPLICATION REQUEST**

***A) Site Area***

Gross Acres: 7.10

***B) Existing Land Use***

Subject Property: Undeveloped  
North: Single-Family Dwellings, Stables  
South: Single-Family Dwellings  
East: Single-Family Dwellings  
West: Undeveloped

***C) Planned Land Use***

Subject Property: PCD (Planned Community Development)  
North: PCD (Planned Community Development)  
South: PCD (Planned Community Development)  
East: PCD (Planned Community Development)  
West: SC (Service Commercial)

***D) Existing Zoning***

Subject Property: U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to R-PD7 (Residential Planned Development - 7 Units per Acre)  
North: (Residential Planned Development – 6 Units per Acre) and R-A (Residential Agricultural – Clark County)  
South: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] and R-PD7 (Residential Planned Development – 7 Units per Acre)/R-PD4 (Residential Planned Development – 4 Units per Acre)  
East: R-PD4 (Residential Planned Development – 4 Units per Acre)  
West: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)

***E) General Plan Compliance***

The subject site is located within the Centennial Hills Sector of the General Plan and has a PCD (Planned Community Development) land use designation, which allows for a mix of residential uses that maintain an average overall density ranging from two to eight dwelling

units per acre. The proposed R-PD7 (Residential Planned Development – 7 Units per Acre) zoning district is in compliance with the General Plan.

<b><i>SPECIAL DISTRICTS/ZONES</i></b>	<b>Yes</b>	<b>No</b>
<b>Special Area Plan</b>		X
<b>Special Overlay District</b>		X
<b>Trails</b>	X	
<b>Study Area</b>		X
<b>Rural Preservation Neighborhood</b>		X
<b>Development Impact Notification Assessment</b>		X
<b>Project of Regional Significance</b>		X

The required Equestrian Trail along the north and east property lines are depicted on the approved site plan.

## **ANALYSIS**

### ***A) General Analysis and Discussion***

The subject Extension of Time is needed since the applicant has not complied with Condition Number One (1) from Rezoning (ZON-4374), which required a Resolution of Intent within a two-year time limit. A related Extension of Time (EOT-14485) of an approved Site Development Plan Review (SDR-4375) will also be considered. The applicant has indicated that the extension is needed since the final map has not recorded. Also, the LVVWD has a project south of the subject site, which needs to be 85% complete before LVVWD will allow fees to be paid on the subject site. Therefore, staff is recommending approval of the subject Extension of Time for the Rezoning, and the related extension of the Site Development Plan Review.

### ***B) Previous Conditions of Approval from Rezoning (ZON-4374)***

#### **Planning and Development**

1. A Resolution of Intent with a two-year time limit.
2. Approval of a Site Development Plan Review (SDR-4375) by the City Council prior to the issuance of any permit or site grading, whichever occurs first.

#### **Public Works**

3. Dedicate 60 feet of right-of-way adjacent to this site for Grand Teton, an additional 20 feet for a total half-street width of 50 feet on Durango Drive, and a 54-foot radius at the northeast corner of Durango Drive and Grand Teton Drive prior to the issuance of any permits as required by the Department of Public Works. Additional dedications in

accordance with Standard Drawing #201.1 and dedication for a bus turn out shall also be provided unless specifically not required in the approved Traffic Impact Analysis.

4. Construct half-street improvements including appropriate overpaving on Durango Drive and Grand Teton Drive, including the widened median island on Grand Teton Drive, adjacent to the overall site concurrent with the first phase of development of this site as required by the Department of Public Works. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
5. Landscape and maintain all unimproved right-of-way on Durango Drive and Grand Teton Drive adjacent to this site concurrent with development of this site.
6. Obtain an Encroachment Agreement for all landscaping and private improvements located in the Durango Drive and Grand Teton Drive public rights-of-way adjacent to this site prior to occupancy of this site as required by the Department of Public Works.
7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainage ways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.

## **FINDINGS**

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

### **1. “The proposal conforms to the General Plan.”**

The proposal supports Program B1.4 of the Centennial Hills Sector Plan that encourages the development of infill parcels in substantially developed, single-family neighborhoods at densities similar to existing development.

### **2. “The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”**

The proposed development is for single-family dwellings, which is a land use compatible with single-family development proposals adjacent to it.

**3. “Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”**

The purpose and intent of the R-PD (Residential Planned Development) district, which encompasses the subject tract and surrounding area, is designed to allow maximum flexibility to permit imaginative and innovative residential designs and to utilize land for the development of residential communities, which are planned and developed with appropriate amenities to establish a clear sense of community. The proposed development is consistent with this purpose and intent.

**4. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”**

The planned capacity of Grand Teton and Durango Drive will be more than sufficient for the traffic needs of the proposed development.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** N/A

**ASSEMBLY DISTRICT** N/A

**SENATE DISTRICT** N/A

**NOTICES MAILED** N/A

**APPROVALS** 0

**PROTESTS** 0